

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR THE REGULAR COUNCIL MEETING
OF
MONDAY, MARCH 13, 2000
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:15 p.m. Mayor Golding adjourned the meeting at 3:05 p.m. into Closed Session at 9:00 a.m. on Tuesday, March 14, 2000, in the twelfth floor conference room to discuss existing and anticipated litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-Excused by R-292907, City Business
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-not present
- (5) Council Member Warden-Excused by R-292911; no reason given
- (6) Council Member Stallings-Excused by R-292910, to attend MTDBs
APTA Conference
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (pr)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor-Golding present
- (1) Council Member Mathis-not present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-not present

- (5) Council Member Warden-not present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Monsignor Roger Lechner of the Holy Spirit Catholic Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

2/21/2000 Adjourned
2/22/2000 Special
2/22/2000

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A026-030.)

MOTION BY WEAR TO APPROVE. Second by Kehoe. Passed by the following vote:
Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present,
Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Proclaiming March 2000 to be "Women's History Month" in San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1026) ADOPTED AS RESOLUTION R-292830

Proclaiming March 2000 to be "Women's History Month" in San Diego in recognition of experience, accomplishments and contributions of women.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A031-042.)

MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: Census Awareness Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1029) ADOPTED AS RESOLUTION R-292831

Proclaiming the month of March 2000 to be "Census Awareness Month" in San Diego and urging every San Diegan to complete and mail back their Census survey forms;

Declaring that the Council supports the United States Census Bureau's efforts to count every resident of the City, without regard to citizenship status or legal residency, and applauding the efforts of the Regional Complete Count Committee and City of San Diego Complete Count Team.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-126.)

MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote:
Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present,
Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding his concerns of traffic impacts once the
Ballpark is built downtown.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A142-162.)

PUBLIC COMMENT-2: REFERRED TO THE CITY MANAGER

Comment by Ethel Murphy regarding the DeAnza Community and that she
wanted to make the Council and the public aware that the President of the
Homeowners Association for DeAnza made a ruling to meet with the City
Manager, the City Attorney and the Director of Real Estate Assets three months
ago. Ms. Murphy expressed that meeting did not happen and there was no reply
to the request. City Manager Uberuaga expressed that there had been a response,
and he would be glad to meet with them.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A163-200.)

PUBLIC COMMENT-3:

Comment by Ken Loch regarding "The Unified Theory of The Arts and Sciences,"
and that the foundation of this is based on the perception of what fine art is.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A200-227.)

PUBLIC COMMENT-4:

Comment by Barbara MacKenzie regarding the "Medical Marijuana Task Force" and that she has a recommendation to use marijuana from her physician. Ms. MacKenzie stated that her prescription medicine was very expensive and that it did not work as well as the marijuana.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A228-255.)

PUBLIC COMMENT-5:

Comment by Steve McWilliams regarding his dissatisfaction with the election process and stating to the Council that, "you are all elected officials, you are the peoples' voice, and you are responsible for preparing the will of the people."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A256-277.)

PUBLIC COMMENT-6:

Comment by Diana Dixon expressing that she had called for a press conference tomorrow, and that she would be providing a financing plan for the downtown Ballpark at the press conference. Ms. Dixon explained that she would be speaking only on her own behalf tomorrow, and she would simply refer the media to the Mayor and the Council so that they could speak for themselves.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A277-320.)

PUBLIC COMMENT-7:

Comment by Isabelle Kay regarding Sorrento Valley Road and its temporary reopening. Ms. Kay explained that she was representing Carmel Mountain Conservancy, and they protest the reconstruction work on Sorrento Valley Road in preparation for its temporary reopening.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A328-362 .)

PUBLIC COMMENT-8:

Comment by Cheryl Dewitt stating that she was representing the Sierra Club Wildlife Committee, and Torrey Pines State Reserve regarding Sorrento Valley Road. Ms. Dewitt expressed that she had a letter from the State Coast District, the Department of Park and Recreation that identified various endangered species in that area. Ms. Dewitt requested the road be kept closed until the EIR was completed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A363-398.)

PUBLIC COMMENT-9:

Comment by Ms. Parker regarding the Ballpark downtown, and that it was her opinion that it would be a bad influence on school children if it was built.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A399-426.)

COUNCIL COMMENT:

NONE.

* ITEM-50: Office Space Lease Amendment - 600 "B" Street.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-144) CONTINUED TO APRIL 10, 2000

Introduction of an Ordinance authorizing the City Manager to execute a third amendment to the office lease, commencing August 25, 2000 and terminating May 31, 2003, with 400 West Broadway, LLC.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department, located in the Comerica Building at 600 "B" Street, has expanded beyond current capacity. Recently, the City was provided with the opportunity to lease the 6th floor of the building. The Water Department is proposing to lease the additional space under the following basic terms:

TERM - Approximately 2 years, 9 months. Lease Amendment will be effective August 25, 2000 and will terminate on May 31, 2003, the expiration date of the Master Lease.

RENT - \$1.38 per square foot or \$19,314.48 per month.

USE - General office usage for the Water Department's CIP staff.

SIZE - 13,996 square feet.

CONTRACTION AND TERMINATION RIGHTS - During the remaining 2.9 years left on the Master Lease, the City rescinds its right to contract out of space and/or terminate space.

FISCAL IMPACT:

\$197,506.13 will be paid from Fund 41500, Water Department's Job No. 8800, for FY 2001.

Culbreth-Graft/Griffith/DLM

Aud. Cert. 2100001.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO CONTINUE THIS ITEM TO APRIL 10, 2000 AT THE REQUEST OF THE CITY MANAGER TO ALLOW FOR FULL COUNCIL TO BE PRESENT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51: This Item has been withdrawn from today's docket.

* ITEM-52: Small Business Advisory Board.

MAYOR GOLDING'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-139) INTRODUCED, TO BE ADOPTED ON APRIL 10, 2000

Amending Chapter II, Article 6, Division 1 of the San Diego Municipal Code, by amending Section 26.06, relating to the Small Business Advisory Board, changing the Small Business Advisory Board's United Federation of Business seat to a member-at-large designation.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO INTRODUCE. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53: Commission for Arts and Culture.

MAYOR GOLDING'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-153) INTRODUCED, TO BE ADOPTED ON APRIL 10, 2000

Introduction of an Ordinance amending Chapter II, Article 6, Division 7, of the San Diego Municipal Code by amending Section 26.0702, relating to the Commission for Arts and Culture, effective May 1, 2000 and for all appointments thereafter, members shall serve two (2) year staggered terms for a maximum of eight (8) consecutive years, and each member shall serve until a successor is duly appointed and confirmed.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO INTRODUCE. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100: Award of Contract - Sewer Pump Station No. 61.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-960) ADOPTED AS RESOLUTION R-292832

Accepting the bid of \$1,313,550 and awarding a contract to AES Construction Group for the Construction of Sewer Pump Station No. 61 in the City of San Diego;

Authorizing the additional expenditure, not to exceed \$231,235 from CIP-46-106.0, Annual Allocation Sewer Pump Station Restoration, Sewer Fund 41506, to supplement funds previously authorized by Resolution No. R-289981, adopted on October 18, 1999 for the project and related costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Pump Station No. 61 is located in 5074 Mercury Street, in Kearny Mesa Community Area. Sewer Pump Station No. 61, which was built in 1972, experienced many breaks and is, therefore, in the need of replacement. On June 25, 1999, one (1) bid in the amount of \$1,497,247 was received out of a total of 13 bid packages issued which was 66 percent above the engineers estimate. After an evaluation of the engineers estimate and the bids received, it was anticipated that lower bids would be received by re-advertising this Project. On October 18, 1999, the City Council authorized the City Manager to reject all bids and re-advertise this Project. On October 21, 1999, six (6) bid packages were received and opened out of twenty-seven (27) bid packages issued. The lowest acceptable bid was received from AES Construction Group in the amount of \$1,313,550, which was below the original bid of \$1,497,247.

FISCAL IMPACT:

The total estimated cost of this project is \$2,097,235 of which \$1,866,000 was previously authorized by Resolution R-292314. The additional funding of \$231,235 is available in Sewer Fund 41506, CIP-46-106.0 for this purpose.

Loveland/Belock/HR

Aud. Cert. 2000756.

WWF-00-426.

<u>FILE LOCATION:</u>	CONT-AES Construction Group
<u>COUNCIL ACTION:</u>	(Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-101: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer Group Job 605A.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-500) ADOPTED AS RESOLUTION R-292833

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer Group Job 605A on Work Order No. 174691;

Authorizing a contract with the lowest responsible bidder;

Authorizing an expenditure of an amount not to exceed \$2,075,000 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, for providing funds for the project and related costs, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Treasury and the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20058C)

Subitem-B: (R-2000-995) ADOPTED AS RESOLUTION R-292834

Certifying that the information contained in Mitigated Negative Declaration LDR-99-0460, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead

Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group 605A will replace approximately 5,700 linear feet of existing concrete 8-inch sewer main with 8-inch sewer main. The existing sewer mains are approximately 80 years old. They currently have substandard slopes and have experienced many stoppages. Approximately one half of this linear footage will be realigned out of the easements and into the streets, where it will be more accessible for maintenance. This project lies in the Mid-City, in the area between Euclid Avenue, Chamoune Avenue, Landis Street, and Dwight Street. The work also affects the following streets: Lexington Avenue, Marlborough Avenue and Redwood Street. Traffic control plans have been prepared. Residents will be notified ten (10) days before construction begins by the contractor through hand distributions. This project will reduce stoppages and provide a more reliable sewage collection system for the service area.

FISCAL IMPACT:

The total estimated construction and related costs are \$2,075,000. Funding is available in Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements for this purpose.

Loveland/Belock/HR

WWF-00-433.

FILE LOCATION: SUBITEMS A & B: CONT - Ortiz Corporation; W.O.
174691

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102: Inviting Bids for a General Requirement Contract for Water & Sewer Projects.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-382) ADOPTED AS RESOLUTION R-292835

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Job Order Contract No. 2 on Work Order No. 002004;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$500,000 from Water Fund 41500, and \$3,500,000 from Sewer Fund 41506, to establish, on an as-needed basis, a Job Order Contract for Water & Sewer projects, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20051C)

CITY MANAGER SUPPORTING INFORMATION:

The Water & Wastewater Facilities Division has a continuing need for as-needed construction contracts for small accelerated CIP construction projects such as repairs needed for existing sewer manholes, sewer and water main replacements and/or rehabilitations. This General Requirement Contract will enable the Division to achieve its objective of rapidly engaging contractors in critical and necessary work, requested by the operating divisions, while lowering costs. Each GRC is competitively procured using a request for bids and has a pre-established maximum dollar amount not to exceed \$4,000,000. When work is ordered by task order, the contractor and the City representative meet to scope the work and prepare a task order with unit prices in accordance with the contract. Work is accomplished by the issuance of individual task orders to the contract. The City is under no obligation to guarantee and give work to the contractor, therefore, the contractor will have an incentive to deliver quality work in a timely fashion in order to get additional work. The City will have a one-year renewal option for this contract.

FISCAL IMPACT:

The total estimated construction contract cost is \$4,000,000, of which \$500,000 is available in Water Fund 41500, and \$3,500,000 is available in Sewer Fund 41506, for this purpose.

Loveland/Belock/HR

WWF-99-397.

FILE LOCATION: CONT - KTA Construction Incorporated; W.O. 002004

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103: Two actions related to the Final Subdivision Map of Benson Heights.

(Skyline-Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-952) ADOPTED AS RESOLUTION R-292836

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Bigas, Inc. for the installation and completion of certain public improvements in the subdivision to be known as Benson Heights.

Subitem-B: (R-2000-951) ADOPTED AS RESOLUTION R-292837

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 2.984 acre site into 11 lots. 10 Lots for residential development and one building restricted lot. The development is located on the north side of Benson Avenue and west of 68th Street in the Skyline-Paradise Hills Community. On October

9, 1997 the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 2551-PC-2 for Benson Heights. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements and grading required for this subdivision are shown in detail on Drawing Nos. 29041-1-D through 29041-2-D and 29044-1-D through 29044-7-D filed in the Office of the City Clerk under Micro Number 140.24. All improvements are to be completed within two years. A special permit has been issued for grading. The Engineer's estimate for the cost of grading and public improvements is \$238,287 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$2,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is subject to impact fees, as established by the City Council at the time of building permit issuance. Development on any property within this map shall pay the fees as set by City Council in effect and due at the time building permits are issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FISCAL IMPACT:

None.

Culbreth-Graft/Haase/SH

FILE LOCATION: SUBITEMS A & B: SUBD-Benson Heights (40)

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: CCDC Area 2 Phase 2 (12th Avenue to 17th Street and Market Street to "K" Street)
Underground Utility District.

(Centre City Community Area. Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-974) ADOPTED AS RESOLUTION R-292838

Designating July 7, 2000 as the date upon which all property in the CCDC Area 2 Phase 2 (12th Avenue to 17th Street and Market Street to “K” Street) Underground Utility District must be ready to receive underground service and December 8, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78135 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the CCDC Area 2 Phase 2 (12th Avenue to 17th Street and Market Street to “K” Street) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the CCDC Area 2 Phase 2 (12th Avenue to 17th Street and Market Street to “K” Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The CCDC Area 2 Phase 2 (12th Avenue to 17th Street and Market Street to “K” Street) Underground Utility District was created by the City Council on September 15, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set July 7, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish December 8, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$3,500 per electric service lateral.

Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

None with this action.

Loveland/Belock/PB

FILE LOCATION: STRT-K-258 (38)

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105: Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-975) RETURNED TO THE CITY MANAGER

Designating June 2, 2000 as the date on which all overhead utility facilities within the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District must be removed;

Authorizing the City Auditor and Comptroller to open Fund 78129 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District was created by the City Council on October 4, 1994. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will establish June 2, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for the electrical and conduit up to a maximum \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

None with this action.

Loveland/Belock/PB

FILE LOCATION: STRT-K-223 (38)

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO RETURN THIS ITEM AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-973) ADOPTED AS RESOLUTION R-292839

Designating March 31, 2000 as the date upon which all overhead utility facilities within the Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District must be removed;

Authorizing the City Auditor and Comptroller to open Fund 78126 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District was created by the City Council on December 3, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set March 31, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

None with this action.

Loveland/Belock/PB

FILE LOCATION: STRT-K-259 (38)

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

*ITEM-107: Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-972) ADOPTED AS RESOLUTION R-292840

Designating June 16, 2000 as the date upon which all property in the Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District must be ready to receive underground service and October 20, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78132 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Underground Utility District was created by the City Council on September 15, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set June 16, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish October 20, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a

maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

None with this action.

Loveland/Belock/PB

FILE LOCATION: STRT-K-256 (38)

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: West Point Loma Boulevard (Brighton Avenue to Sunset Cliffs Boulevard)
Underground Utility District.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-976) ADOPTED AS RESOLUTION R-292841

Designating May 19, 2000 as the date upon which all property in the West Point Loma Boulevard (Brighton Avenue to Sunset Cliffs Boulevard) Underground Utility District must be ready to receive underground service and July 7, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78127 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the West Point Loma Boulevard (Brighton Avenue to Sunset Cliffs Boulevard) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the West Point Loma Boulevard (Brighton Avenue to Sunset Cliffs Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The West Point Loma Boulevard (Brighton Avenue to Sunset Cliffs Boulevard) Underground Utility District was created by the City Council on December 8, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set May 19, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish July 7, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$3,500 per electric service lateral. Reimbursements will also include the costs of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

None with this action.

Loveland/Belock/PB

FILE LOCATION: STRT-K-260 (38)

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109: Two actions related to Costco Sewer Exchange/Relocation.

(North Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-964) ADOPTED AS RESOLUTION R-292842

Approving the acceptance by the City Manager of an Easement Deed of Stonehaven Association, Inc., conveying to the City a sewer easement across the portion of Lot 5 of Stonehaven, according to Map No. 8387;

Authorizing the City Manager to execute a quitclaim deed, quitclaiming to Stonehaven Association, Inc., all of the City's right, title and interest in the sewer easement in portion of Lot 5 of Stonehaven, according to Map No. 8387.

Subitem-B: (R-2000-965 Cor. Copy) ADOPTED AS RESOLUTION R-292843

Certifying that the information contained in Mitigated Negative Declaration LDR No. 99-0005 has been completed in compliance with the California Environmental Quality Act of 1970 as amended, and State CEQA Guidelines, and that the report reflects the independent judgement of the City of San Diego as Lead Agency;

Adopting the Mitigation, Monitoring, & Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The proposed project calls for the installation of 830 lineal feet of new 12-inch diameter sewer main, and the subsequent abandonment of approximately 832 feet of the existing sewer main.

The existing line is to be removed and replaced due to the deteriorated state of the pipe, coupled with the fact that erosion of the soil covering the pipe has created a hazardous situation. Using trenchless/microtunneling technology methods, the new line will be placed at a depth at which the soils have been found stable, and in an alignment which will preclude concerns regarding future erosion. Approval of the requested actions will allow the acquisition of the property rights required for construction of the sewer line, in exchange for the abandonment and quitclaiming of the unneeded easement portions, resulting from completion of the proposed project. It has been determined that the value of the property rights to be exchanged are equal.

FISCAL IMPACT:

None. The affected property owner Association has elected to donate the required property rights in exchange for the benefits to accrue to their property.

Culbreth-Graft/Griffith/SLG

FILE LOCATION: SUBITEMS A & B: DEED F-7721

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110: Proposed Facade Easement for the Ingersoll-Tutton Building, 826-836 Fifth Avenue.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1019) ADOPTED AS RESOLUTION R-292844

Authorizing the City Manager to accept and execute the Facade Easement, affecting a portion of Lot "I" in Block 62 of Horton's Addition granted by Stanley E. Hanson.

CITY MANAGER SUPPORTING INFORMATION:

In February 1992, the City Council adopted the Inventory, Education and Incentives Elements of the Comprehensive Historic Preservation Plan (CHPP). Contained in the Incentives Element is Facade Easements, a federal tax incentive available to owners of any property listed on the National Register of Historic Places. The facade easement allows the owner to receive a federal charitable contribution deduction in exchange for ensuring the preservation of the historical, aesthetic, scenic and cultural characteristics and conditions of the facade in perpetuity. The facade is then monitored by the grantee of the facade easement, in this case the City of San Diego, on a cost-reimbursable annual basis to assure that the conditions of the easement are met. Stanley E. Hanson, owner of the Ingersoll-Tutton Building at 826-836 Fifth Avenue in the Gaslamp Quarter National Register Historic District, is requesting that the City accepts its Grant of an Architectural Facade Easement. The City Manager recommends approval of this item as consistent with the Incentives Element of the Comprehensive Historic Preservation Plan adopted by City Council.

FISCAL IMPACT:

The Grantor of the facade easement shall deposit an inspection fee not to exceed \$300 for the first five years. Thereafter, the amount shall not exceed the amount equivalent to two hours time for a licensed architect and engineer at prevailing rates.

Culbreth-Graft/Griffith/BLM

FILE LOCATION: DEED F-7722

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111: Two actions related to CWA Water Easement Abandonment.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-958) ADOPTED AS RESOLUTION R-292845

Approving the acceptance by the City Manager of a quitclaim deed of the San Diego County Water Authority, granting to the City a water easement.

Subitem-B: (R-2000-959) ADOPTED AS RESOLUTION R-292846

Authorizing the City Manager to execute an Abandonment and Pipeline Removal Agreement with the San Diego County Water Authority, for the abandonment of a water easement which will allow the City to expand the Alvarado Treatment Plant;

Authorizing the expenditure of an amount not to exceed \$43,825 payable to the San Diego County Water Authority for unamortized value of pipeline abandoned and \$9,400 for the inspection, by the Water Authority, of work performed by the City for a total cost of \$53,225 from Water Revenue Fund 41500, CIP-73-261.0, Alvarado Water Treatment Plant- Upgrade and Expansion Phase I.

CITY MANAGER SUPPORTING INFORMATION:

The City is expanding the Alvarado Treatment plant and requires the County Water Authority (Authority) to abandon an easement the City granted to the Authority on the treatment plant site. The Authority's pipeline will be capped to allow for the City's expansion without detriment to the Authority's delivery system. The City and Authority have entered into a proposed agreement to abandon the portion of the pipeline required for the treatment plant expansion. The agreement requires the City to pay all costs associated with the expansion work and pipeline removal and to pay the Authority for the unamortized cost of the pipeline abandoned, and for inspection costs associated with the City's work totaling \$53,225.

FISCAL IMPACT:

\$53,225 is available in CIP-73-261.0, Alvarado Water Treatment Plant - Upgrade and Expansion - Phase I.

Culbreth-Graft/Griffith/RAG

Aud. Cert. 2000810.

FILE LOCATION: SUTITEMS A & B DEED F-7723

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112: Developer Fees FY 1999 Annual Report.

(See City Manager Report CMR-00-45.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-988) ADOPTED AS RESOLUTION R-292847

Accepting the Developer Fees FY 1999 Annual Report and making findings related to unexpended balances as required by California Government Code Section 66001.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113: Accepting Donation from the Bill and Melinda Gates Foundation.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-970) ADOPTED AS RESOLUTION R-292848

Authorizing the City Manager or his designee to accept funds from the Bill and Melinda Gates Foundation for the purpose of purchasing computer equipment and related expenses for the Central Library and fourteen branch libraries:

Beckwourth, College Heights, Weingart City Heights, Kensington/Normal Heights, Linda Vista, Logan Heights, North Park, Oak Park, Otay Mesa, the Earl and Birdie Taylor Library/Pacific Beach, San Ysidro, University Heights, and the Malcolm X Library and Performing Arts Center/Valencia Park, and Paradise Hills;

Authorizing the City Manager or his designee to accept funds from the Bill and Melinda Gates Foundation for the purpose of purchasing equipment to establish a computer training lab at the Central Library.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library is requesting authorization to accept funds from the Bill and Melinda Gates Foundation.

Funding in the amount of \$36,650 will be used to establish a regional computer lab at the downtown Central Library. The computer lab will provide library patrons with training in computer management and applications, and will provide increased public access to computers and the Internet; and will also be used to provide ongoing training for librarians to better serve the public in accessing electronic information. Funding of \$213,450 will provide 84 computers and 15 printers at the Central Library and 14 branches selected by the Bill and Melinda Gates Foundation. The Foundation selected sites on the basis of the economic needs of the surrounding communities. In addition to the Central Library, branches receiving computer equipment include Beckwourth, College Heights, Weingart City Heights, Kensington/Normal Heights, Linda Vista, Logan Heights, North Park, Oak Park, Otay Mesa, the Earl and Birdie Taylor Library/Pacific Beach, San Ysidro, University Heights, and the Malcolm X Library and Performing Arts Center/Valencia Park, and Paradise Hills.

This funding will allow the San Diego Public Library to provide enhanced service to residents who rely on the library for their information needs. This is particularly important to community members without the economic resources to purchase computers for use in their homes. Success in school and in pursuing career advancements depends increasingly on access to technology and to the Internet.

This funding will also support additional training for library staff so that they may better serve the public in accessing electronic information.

FISCAL IMPACT:

Matching funds will be used to purchase additional equipment and electronic resources for systemwide use. Additional staff will be needed to install and maintain the computers, and to

supervise the computer lab. Savings due to staff turnover will be used to fund this staff in FY 2000, and grant funds will be pursued to fund the positions in FY 2001.

Culbreth-Graft/Tatar/CY

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114: State Grant Funding for Census 2000 Outreach Effort.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1024) ADOPTED AS RESOLUTION R-292849

Authorizing the application and execution of a grant from the San Diego Association of Governments (SANDAG) Complete Count Committee for State grant funding for the City's Census 2000 Outreach Efforts.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Association of Governments (SANDAG) Complete Count Committee is making \$308,480 of State Grant funds available to help educate residents about the importance of the Census and to encourage everyone to participate. The Planning and Development Review Department has identified the need to fund several outreach efforts which include: a poster drawing event for children at 52 Park and Recreation facilities; targeted mailings to specified undercounted census tracts; reproduction of Census videos for businesses and other agencies; and promotional items.

FISCAL IMPACT:

If this grant is secured the City will receive \$15,000 toward the above mentioned outreach efforts for Census 2000.

Loveland/Goldberg/DB

Aud. Cert. 2000845.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115: Friars Road/Mission Center Road Corridor Improvements.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1008) ADOPTED AS RESOLUTION R-292850

Authorizing the appropriation of an amount not to exceed \$25,653 from Developer Contributions Fund 63024 (JO 930637) and \$30,000 in interest earnings from Westfield Development Trust Fund 10606, to CIP-52-669.0, Friars Road/Mission Center Road Landscaping/Road Improvements Project;

Authorizing the expenditure of an amount not to exceed \$55,653 from CIP-52-669.0 (\$25,653 from Fund 63024 and \$30,000 from Fund 10606), for designing and constructing landscaping and road improvements, and providing funds for the project.

CITY MANAGER SUPPORTING INFORMATION:

The funds from Fund No. 63024 were deposited with the City as a condition of a Development Permit (No. 930637 - Park in the Valley Project-Sunbelt Mgmt. Company). The funds from

Fund No. 10606 were the amount of accrued interest earned from a deposited fund under the conditions of a Development Permit (No. 967231), and amendments to the Mission Valley Community Plan (RR-288970-1,2) for the Mission Valley West Site. The deposited funds were specifically designated in the development permit for Mission Center Road Corridor Improvements. The CIP project satisfies those conditions: landscaping and irrigation at the Friars Road/Mission Center Road Intersection, completion of sidewalk along the Mission Center on ramp to Friars Road, and construction of a decorative raised median on Mission Center Road.

FISCAL IMPACT:

Developer funds were deposited for the specific purpose of improvements within the scope of the CIP project. There is no fiscal impact on the City.

Loveland/Belock/PB

Aud. Cert. 2000819.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116: Proclaiming the month of April, 2000 to be "City of San Diego Volunteer Month".

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1015) ADOPTED AS RESOLUTION R-292851

Proclaiming the month of April, 2000 to be "City of San Diego Volunteer Month" to honor City of San Diego volunteers and recognize their accomplishments.

CITY MANAGER SUPPORTING INFORMATION:

Over 36,800 volunteers worked for the City of San Diego in Fiscal Year 1999. Those volunteers gave 1,119,256 hours valued at more than \$15.5 million to the City. Volunteers assist staff in almost all City departments in the performance of their duties. Without them, many City of San Diego programs would have to be reduced or in some cases eliminated. Most departments honor their volunteers throughout the year, and include some special recognition during National Volunteer Week (this year April 9 - 15, 2000). By declaring April 2000 "City of San Diego Volunteer Month," volunteers are also recognized during the entire month on a citywide basis for their significant contributions to the efficiency and effectiveness of City government. City Volunteer Month will also be commemorated by the distribution to City and United Way Volunteers of 5,000 free passes to Balboa Park museums and other attractions, which will be good during the month of April 2000.

FISCAL IMPACT:

None.

Herring/JF

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117: Museum of Photographic Arts Day in the City of San Diego.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-989) ADOPTED AS RESOLUTION R-292852

Recognizing and commending the outstanding artistic and educational contributions that the Board of Trustees, volunteers and staff of MOPA have made to the citizens of San Diego;

Proclaiming March 4, 2000 to be "Museum of Photographic Arts Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118: Captain Ed McKellar Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-926) ADOPTED AS RESOLUTION R-292853

Recognizing the outstanding contributions that Captain Edwin D. McKellar, USN (ret.) has made to the San Diego Aerospace Museum and the citizens of San Diego;

Proclaiming March 4, 2000 to be "Captain Ed McKellar Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119: Mediation Month.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1014) ADOPTED AS RESOLUTION R-292854

Recognizing and commending the efforts of the San Diego Mediation Center staff and volunteers for their dedication to helping the citizens of San Diego;

Proclaiming the month of March 2000 to be "Mediation Month" in America's Finest City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120: EOP Day in San Diego.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1025) ADOPTED AS RESOLUTION R-292855

Proclaiming Friday, March 10, 2000 to be "EOP (Educational Opportunity Program) Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121: Jesus Rodriguez - Mariachi Michoacan Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1023) ADOPTED AS RESOLUTION R-292856

Proclaiming March 30, 2000 to be "Jesus Rodriguez - Mariachi Michoacan Day" in San Diego in recognition of the contributions of Jesus Rodriguez and encourages residents to share and enjoy the significance of this day.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122: Cooperative Agreement for Carmel Mountain Road/I-5 Interchange.

(Torrey Pines and Sorrento Hills Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-966) ADOPTED AS RESOLUTION R-292857

Authorizing the City Manager to enter into a Cooperative Agreement with the State of California, acting by and through its Department of Transportation, for construction of a new interchange at Interstate 5 and Carmel Mountain Road.

CITY MANAGER SUPPORTING INFORMATION:

As part of improvements to Interstate 5 between Interstate 805 and State Route 56, CalTrans will construct a new interchange at Carmel Mountain Road and Interstate 5. This interchange is being built at the, City's request. This agreement commits the City to providing the funding for this interchange, which includes funding for CalTrans' preliminary engineering and right-of-way support, purchasing additional right-of-way, and construction. CalTrans estimated the total cost of the project at \$14,605,000. This figure has not been adjusted for inflation; a more accurate estimate will be available after CalTrans conducts the construction bid process. However, that process cannot begin until the City has agreed, by means of this Cooperative Agreement, to provide funding for the project. Once the final estimate has been developed, this Agreement will be amended to reflect the actual estimated costs and payment schedule.

FISCAL IMPACT:

A total of \$17,800,000 in funding has been identified and has been placed in the Carmel Valley Facilities Financing Plan. Funding sources include:
\$ 2,670,000 from Carmel Valley North FBA Fund 79002
\$10,680,000 from Sorrento Hills Development Agreement Fund 39063
\$ 4,450,000 from the Carmel Valley South FBA Fund 79008.

Loveland/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123: Agreement with Hirsch and Company for As-Needed Civil Engineering Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-584) ADOPTED AS RESOLUTION R-292858

Authorizing the execution of an agreement with Hirsch and Company Consulting Engineers, to provide as-needed civil engineering consultant services to the City;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$250,000 from Water Fund 41500;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department will be implementing a number of projects in the future as a part of the Capital Improvements Program. Civil Engineering Services are needed on an as needed basis, to provide design services, project surveying and mapping, plan checks, and other engineering support to ensure that the most cost effective methods and material are incorporated into the improvement plans and specifications for design and construction. The City As-Needed Consultant process was used in order to interview the most qualified consultants. On October 14, 1999 a Selection Panel convened and interviewed six short-listed engineering companies and selected Hirsch & Company as the most qualified As-Needed engineering firm to support the CIP program. Hirsch & Company professional services would include the following: Support for the Water Department Capital Improvement Projects during the planning, design and construction phases; emergency design work to support CIP requirements; coordination with subconsultants for structural and geotechnical engineering; engineering support with surveying and mapping. The Water Department will identify projects that will benefit from as-needed services during the course of this agreement. The selection of projects benefitting from as-needed services will be based upon size, complexity and cost.

FISCAL IMPACT:

Funding in the amount of \$250,000 for the As Needed Engineering Services is available from the Water Revenue Fund 41500.

Loveland/Gardner/OK

Aud. Cert. 2000802.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124: Change Order No. 3 - South Bay Water Reclamation Sewer and Pump Station.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-955) ADOPTED AS RESOLUTION R-292859

Authorizing the City Manager to negotiate and execute Change Order No. 3 with Archer Western Contractors, Ltd. in an amount not to exceed \$342,000 for the emergency installation of a deep manhole in connection with the South Bay Water Reclamation Sewer and Pump Station contract;

Authorizing the expenditure of an amount not to exceed \$342,000 from Fund No. 41509, CIP-40-911.3, South Bay Water Reclamation Sewer and Pump Station to provide funds for the Change Order No. 3, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION:

On December 2, 1997, the City Council adopted Resolution R-289516 approving the advertisement and award of the South Bay Water Reclamation Sewer and Pump Station, Package B. A contract was awarded to Archer Western on June 18, 1999 in the amount of \$5,821,112. During construction operations at the north end of the project at the intersection of Coronado Avenue and Saturn Boulevard, Archer-Western uncovered part of an existing, badly

deteriorated manhole. The manhole was exposed in order to connect the new sewer pipeline to it. Due to its deteriorated condition, the manhole collapsed while it was being uncovered at no fault to the Contractor, creating a hazardous condition for pedestrians and motorists. This collapse occurred one week before Christmas, at a heavily traveled intersection, adjacent to Nestor Elementary School and several businesses. To minimize the health and safety concerns Archer-Western worked around the clock for one week on an emergency basis to install the new manhole and restore the intersection to a safe condition. This request is for the approval of the change order for the emergency work at a cost not to exceed \$342,000.

FISCAL IMPACT:

The total cost of this action is not to exceed \$342,000. Funds are available in Sewer Fund No. 41509, CIP-40-911.3, South Bay Water Reclamation Sewer and Pump Station.

Loveland/Schlesinger/WJS

FILE LOCATION: CONT-Archer Western Contractors, Ltd.

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2000-915) ADOPTED AS RESOLUTION R-292860

Declaring a continued state of emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: Gen'l-state of emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126: Excusing Mayor Golding from the Council Meeting of 2/8/2000.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1033) ADOPTED AS RESOLUTION R-292861

Excusing Mayor Susan Golding from attending the regularly scheduled Council meeting of February 8, 2000.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127: Appointment to the Board of Library Commissioners.

(See memorandum from Mayor Golding dated March 6, 2000 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1037) ADOPTED AS RESOLUTION R-292862

Council confirmation of the appointment by the Mayor of Melvin I. Katz, to serve as a member of the Board of Library Commissioners, for a term ending March 1, 2002, replacing Michael Madigan whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150: Mentor-Protégé Program.

(See City Manager Report CMR-00-02.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-925) CONTINUED TO APRIL 10, 2000

Authorizing the proposed Mentor-Protégé Program designed in cooperation with the Associated General Contractors of San Diego;

Authorizing the City Manager to pursue sponsors for the three-year pilot program;

Authorizing the City Manager to implement the Mentor-Protégé Program as outlined in the City Manager Report CMR-00-02, dated January 5, 2000.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 1/12/2000, PS&NS voted 4-1 to accept the City Manager's recommendation with the understanding that the Associated General Contractors and the City Manager will work to identify and secure additional funding for this program outside of the City's budget. The City Manager was directed to return to the Public Safety and Neighborhood Services Committee on

August 2, 2000, with an informational report regarding the implementation and operation of the program. (Councilmembers Mathis, Wear, Warden and Stallings voted yea. Councilmember Stevens voted nay.)

CITY MANAGER SUPPORTING INFORMATION:

Funds have been made available through Council District 5, FY98 CDBG funds (\$45,000) with additional funding anticipated from the Convention Center (\$15,000 per year for two years). Additional sponsors will be pursued (i.e. Centre City Development Corporation, County Water Authority, County, Port District, San Diego Unified School District) to support additional proteges. The size of the program will depend on the amount of funding secured with the pilot program not exceeding \$225,000 over a three year period.

Culbreth-Graft/Cunningham/DFP

Aud. Cert. 2000754.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO CONTINUE THIS ITEM TO APRIL 10, 2000 AT THE REQUEST OF COUNCIL MEMBER McCARTY TO ALLOW FOR FULL COUNCIL TO BE PRESENT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151: Request for Sponsorship for Fire and Rescue Helicopter.

(See City Manager Reports CMR-00-19 and CMR-00-46.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-981) ADOPTED AS RESOLUTION R-292863

Adopting the City Manager's recommendation in City Manager's Report CMR-00-19 and CMR-0046;

Authorizing the City Manager to use a Request for Sponsorship to search the marketplace for sponsors of a Fire and Rescue Helicopter.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 2/23/2000, PS&NS voted 4-1 to accept the City Manager's recommendation and to direct the City Manager to create a matrix of advertising agreements involving the City. (Councilmembers Mathis, Wear, Stevens, and Warden voted yea. Councilmember Stallings voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Exemption of Parking Operations Program Manager from the Classified Service.

(See memorandums dated 12/21/99, 1/28/00, and 2/9/00.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-2000-145) HEARING HELD; TO BE INTRODUCED AND ADOPTED ON
MARCH 14, 2000

Amending Ordinance O-18667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1999-2000 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending document No. OO-18667 to add the position of Parking Operations Program Manager in the Transportation Department, and exempting said position from the Classified Service.

CITY MANAGER SUPPORTING INFORMATION:

On February 3, 2000, the Civil Service Commission reviewed and approved a request of the Transportation Department to exempt a Parking Operations Program Manager from the Classified Service. This position will be responsible for planning, administering, budgeting, organizing, directing, and policy formulation associated with managing Parking Operations; for sustaining revenue generation of about \$20 million annually; ensuring the achievement of organizational goals and measures of effectiveness in operational areas; for problem resolution of parking issues within the City of San Diego; for coordinating with other City departments and appropriate local, State and Federal agencies as well as private and community interests; and making recommendations concerning parking policies associated with the Municipal Ordinance and the California Vehicle Code.

Charter Section 117 states that Unclassified Service shall include "managerial employees having significant responsibilities for formulating and administering department policies and programs. Each such position shall be exempt from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and approval of the City Council." Upon review of the duties and responsibilities of this position, the Commission found that it meets the intent of Charter Section 117.

FISCAL IMPACT:

Contingent upon Council approval, funds for this position will be budgeted in the Transportation Department, Parking Management Division for Fiscal Year 2001.
Loveland/Gonzalez/MGR

NOTE: Today's action is the first public hearing of the Ordinance. See Item 338 on the docket of Tuesday, March 14, 2000 for the second public hearing and introduction and adoption of the Ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A430-B120.)

CONSENT MOTION BY WEAR TO APPROVE THE HEARING. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:05 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B121.)